

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KAREN PATILLO,

Plaintiff,

vs.

Case No. 11-13415

PATRICK R. DONAHOE, Postmaster
General,

HON. AVERN COHN

Defendant.

MEMORANDUM AND ORDER
ADOPTING REPORT AND RECOMMENDATION (Doc. 25)
AND
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Doc. 18)
AND
DISMISSING CASE

I. Introduction

This is an employment discrimination case. Plaintiff Karen Patillo, proceeding pro se, is suing defendant Patrick R. Donahoe, the Postmaster General. Plaintiff claims that she was wrongfully terminated from her position at the post office because of her race, her age, and in retaliation for previous protected activity.

The matter has been referred to a magistrate judge for pretrial proceedings. Defendant filed a motion for summary judgment. The magistrate judge issued a report and recommendation (MJRR), recommending that the motion be granted. Before the Court are plaintiff's objections to the MJRR. For the reasons that follow, the MJRR will be adopted, defendant's motion for summary judgment will be granted, and the case will

be dismissed.

II. Review of MJRR

A district court must conduct a de novo review of the parts of a magistrate judge's report and recommendation to which a party objects. 28 U.S.C. § 636(b)(1). The district "court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate" judge. Id. The requirement of de novo review "is a statutory recognition that Article III of the United States Constitution mandates that the judicial power of the United States be vested in judges with life tenure." United States v. Shami, 754 F.2d 670, 672 (6th Cir. 1985).

A general objection, or one that merely restates the arguments previously presented, is not sufficient to alert the court to alleged errors on the part of the magistrate judge. An "objection" that does nothing more than state a disagreement with a magistrate judge's suggested resolution, or simply summarizes what has been presented before, is not an objection as that term is used in this context. Howard v. Sec'y of Health and Human Servs., 932 F.2d 505, 508 (6th Cir. 1991) ("It is arguable in this case that Howard's counsel did not file objections at all.... [I]t is hard to see how a district court reading [the 'objections'] would know what Howard thought the magistrate had done wrong.").

III. Plaintiff's Objections

The Court has reviewed plaintiff's objections. Nothing in the objections, which appear to consist of a repetition of the arguments considered and rejected by the magistrate judge, convince the Court that the magistrate judge erred. To the contrary, the magistrate judge carefully examined the evidence and concluded that plaintiff failed

to create a genuine issue of material fact on any of her claims. Plaintiff has not shown that the magistrate judge's analysis of the evidence is incorrect.

VI. Conclusion

For the reasons stated above, the MJRR is ADOPTED as the findings and conclusions of the Court. Defendant's motion for summary judgment is GRANTED.

This case is DISMISSED.

SO ORDERED.

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: October 19, 2012

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, October 19, 2012, by electronic and/or ordinary mail.

S/Julie Owens
Case Manager, (313) 234-5160